



## ENVIRONMENTAL PROTECTION AGENCY

[EPA-HQ-OECA-2017-0640; FRL-10158-01-OECA]

### **Proposed Information Collection Request; Comment Request; Recordkeeping Requirements for Producers of Pesticides and Pesticide Devices under 40 CFR Part 169; EPA ICR Number 0143.13, OMB Control Number 2070-0028**

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Notice.

**SUMMARY:** The Environmental Protection Agency is planning to submit an information collection request (ICR), “Recordkeeping Requirements for Producers, of Pesticides and Pesticide Devices under 40 CFR Part 169” (EPA ICR No. 0143.13, OMB Control No. 2070-0028) to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act. Before doing so, EPA is soliciting public comments on specific aspects of the proposed information collection as described below. This is a proposed extension of the ICR, which is currently approved through November 30, 2022. An Agency may not conduct or sponsor and a person is not required to respond to a collection of information unless it displays a currently valid OMB control number.

**DATES:** Comments must be submitted on or before [INSERT DATE 60 DAYS AFTER DATE OF PUBLICATION IN THE *FEDERAL REGISTER*].

**ADDRESSES:** Submit your comments, referencing Docket ID No. EPA Docket ID No. EPA-HQ-OECA-2017-0640, online using [www.regulations.gov](https://www.regulations.gov) (our preferred method), or by mail to: EPA Docket Center, Environmental Protection Agency, Mail Code 28221T, 1200 Pennsylvania Ave., NW, Washington, DC 20460.

EPA’s policy is that all comments received will be included in the public docket without change including any personal information provided unless the comment includes profanity, threats, information claimed to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute.

**FOR FURTHER INFORMATION CONTACT:** Michelle Yaras, Office of Compliance, Monitoring, Assistance, and Media Programs Division, Pesticides, Waste & Toxics Branch (2227A), Environmental Protection Agency, 1200 Pennsylvania Ave., NW, Washington, DC 20460; telephone number: 202-564-4153; email address: [yaras.michelle@epa.gov](mailto:yaras.michelle@epa.gov).

**SUPPLEMENTARY INFORMATION:**

Supporting documents which explain in detail the information that the EPA will be collecting are available in the public docket for this ICR. The docket can be viewed online at [www.regulations.gov](http://www.regulations.gov) or in person at the EPA Docket Center, WJC West, Room 3334, 1301 Constitution Ave., NW, Washington, DC. The telephone number for the Docket Center is 202-566-1744. For additional information about EPA's public docket, visit <http://www.epa.gov/dockets>.

Pursuant to section 3506(c)(2)(A) of the PRA, EPA is soliciting comments and information to enable it to: (i) evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the Agency, including whether the information will have practical utility; (ii) evaluate the accuracy of the Agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used; (iii) enhance the quality, utility, and clarity of the information to be collected; and (iv) minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses. EPA will consider the comments received and amend the ICR as appropriate. The final ICR package will then be submitted to OMB for review and approval. At that time, EPA will issue another *Federal Register* document to announce the submission of the ICR to OMB and the opportunity to submit additional comments to OMB.

*Abstract:* Producers of pesticides and pesticide devices must maintain certain records with respect to their operations and make such records available for inspection and copying as

specified in section 8 of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) and in regulations at 40 CFR part 169.

This information collection is mandatory under 40 CFR part 169. It is used by the Agency to determine compliance with FIFRA. The information is used by EPA Regional pesticide enforcement and compliance staffs, the Office of Enforcement and Compliance Assurance (OECA), and the Office of Pesticide Programs (OPP) within the Office of Chemical Safety and Pollution Prevention (OCSPP), as well as the U.S. Department of Agriculture (USDA), the Food and Drug Administration (FDA), and other Federal agencies, States under Cooperative Enforcement Agreements, and the public. An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

*Form numbers:* None.

*Respondents/affected entities:* Producers of pesticides and pesticide devices for sale or distribution in or exported to the United States.

*Respondent's obligation to respond:* Mandatory (40 CFR part 169).

*Estimated number of respondents:* 19,027 (total).

*Frequency of response:* Annual.

*Total estimated burden:* 15,078 hours (per year). Burden is defined at 5 CFR 1320.03(b).

*Total estimated cost:* \$372,721 (per year). There are no annualized capital or O&M costs associated with this ICR since all equipment associated with this ICR is present as part of ordinary business practices.

*Changes in estimates:* There is a decrease of 42,054 hours in the total estimated respondent burden compared with the ICR currently approved by OMB. This decrease of 42,054 hours is a result of our reassessment of the assumptions used to estimate the burden of this ICR.

Adjustments resulted from corrections of clerical or computational errors in the previous ICR renewal supporting statement. Further adjustments to the burden estimates resulted from (1)

adjustments in the salary computation for industry to reflect current wage scales, (2) adjustments for inflation, and (3) adjustment to the number of respondents.

**Elizabeth Vizard,**

*Acting Director, Office of Compliance/MAMPD.*

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